

03/22/11 Case Management Calendar

Amended
03/22/11 SCV CMC
at 8:30 am in Dept 42

1. S-CV-0024967 Good, Scott vs. Miller, Patrick et al

No appearance required. CMC/OSC is continued to May 24, 2011 at 8:30 am in Dept 42. Need status of the case.

2. S-CV-0025304 Rodriguez, Jose R. vs. Penobscot Group Inc et al

Class: 1

Disposition date: 07/06/10

Trial date & length: 07/11/11; 10 day jury

Civil Trial Conference date: 07/01/11

(heard at 8:30am in D-42)

Mandatory settlement conference date: 06/24/11

(heard at 8:30am; report to Jury Services)

Arbitration completion date:

NO APPEARANCE REQUIRED UNLESS REQUESTED BY PARTY BY 3PM ON THE THURSDAY PRIOR TO HEARING DATE. REQUESTS FOR APPEARANCE MUST BE FAXED TO THE CIVIL DEPARTMENT, ATTN: TERRY AT (916) 408-6275, AND TO ALL OPPOSING ATTORNEYS AND PARTIES WITHOUT ATTORNEYS BY 3:00 PM THE THURSDAY PRIOR TO THE CASE MANAGEMENT DATE. SEE LOCAL RULE 20.1.7, EFFECTIVE 7/1/09

03/22/11 SCV CMC
at 10am in Dept 40

1. S-CV-0022239 Umpqua Bank vs. Diamond Creek Partners, LTD., et al

Appearance required. **Scott C. Jacob and Garrett W. Jacobs 4th Amended Cross-Complaint** not at issue - need responsive pleading, default or dismissal as to all Defendants. **Diamond Creek Partners 2nd Amended Cross-Complaint** not at issue - need responsive pleading, default or dismissal as to all Defendants.

2. S-CV-0022779 Tavern Inn Condominiums HO Assoc. vs. Tavern Inn II, et al

Appearance required. Complaint not at issue – need responsive pleading, default or dismissal as to Defendant Builder Service Group, Inc. (DOE 11) ADDED 01/28/11. Need status of the bankruptcy for Tavern Inn II, LLC.

3. S-CV-0025093 **Hampton, Jarrett Philip vs. Andrews, Lucas et al**

Class: 3

Disposition date: 06/04/11

Trial date & length: 08/15/11; 6 day jury

Civil Trial Conference date: 08/05/11

(heard at 8:30am in D-42)

Mandatory settlement conference date: 07/29/11

(heard at 8:30am; report to Jury Services)

Arbitration completion date:

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4. S-CV-0026038 **Smith, Vickie vs. John's Incredible Pizza Company, Inc et al**

Appearance required. Need status of Class Action.

5. S-CV-0026379 **Pullins, Corbin vs. Smith, Eric, et al**

Appearance required. **Complaint** not at issue - need responsive pleading, default or dismissal as to Defendant Eric Smith; and Maria Smith.

6. S-CV-0026399 Carroll, Donald, et al vs. Gamboa, Jeanie et al

Class: 2

Disposition date: 09/16/11

Trial date & length: 09/06/11; 10 day jury

Civil Trial Conference date: 08/26/11

(heard at 8:30am in D-42)

Mandatory settlement conference date: 08/19/11

(heard at 8:30am; report to Jury Services)

Arbitration completion date:

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7. S-CV-0026548 Chase Bank USA, N.A. vs. Beverly, Addison

Dropped. Judgment was entered.

8. S-CV-0026672 Wells Fargo Bank, N.A. vs. Macias, Jose A., et al

No appearance required. CMC/OSC is continued to May 31, 2011 at 10am in Dept 40. Judgment is in line for review.

9. S-CV-0026731 Tyshkevich, Svetlana vs. Countrywide Home Loans, et al

Class: 2

Disposition date: 09/03/11

Trial date & length: 09/06/11; 5 day jury

Civil Trial Conference date: 08/26/11

(heard at 8:30am in D-42)

Mandatory settlement conference date: 08/19/11

(heard at 8:30am; report to Jury Services)

Arbitration completion date:

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10. S-CV-0026753 Wachovia Bank, N.A. vs. Mammoth Rocklin I, LLC

Dropped. Case was dismissed.

11. S-CV-0026813 Mason, Delicia vs. Indymac Federal Bank, et al

Appearance required. **2nd Amended Complaint** not at issue - need responsive pleading, default or dismissal as to Defendant James Devera; MD Mortgage Group, Inc.; and Kevin Rusch.

12. S-CV-0026822 Pauling, Arno, et al vs. Homecomings Financial, LLC, et al

Class: 2

Disposition date: 09/25/11

Trial date & length: 09/06/11; 5 day jury

Civil Trial Conference date: 08/26/11

(heard at 8:30am in D-42)

Mandatory settlement conference date: 08/19/11

(heard at 8:30am; report to Jury Services)

Arbitration completion date:

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13. S-CV-0026886 Kislanka, Pablo, et al vs. Transnational Financial Network,

Dropped. The court confirms the CMC/OSC set for April 5, 2011 at 10 am in Dept 40.

14. S-CV-0026891 Kolodrivskiy, Zonik vs. Indymac Bank, F.S.B., et al

Appearance required. **Complaint** not at issue - need responsive pleading, default or dismissal as to Defendant Indymac Bank, F.S.B.

15. S-CV-0026934 Anderson, Eric W. vs. Bank of America, N.A., et al

Appearance required. **1st Amended Complaint** not at issue - need responsive pleading, default or dismissal as to Defendant Bank of America, N.A.; and NDEX West, LLC.

16. S-CV-0027292 Martinez, Michael, et al vs. Washington Mutual Bank, et al

Appearance required. **Complaint** not at issue - need responsive pleading, default or dismissal as to Defendant Washington Mutual Bank and Home Loan Consultants, Inc.

17. S-CV-0027539 Wells Fargo Bank, N.A. vs. Betteridge, Charles

Dropped. Case was dismissed.

18. S-CV-0027540 Quadgraphics, Inc. vs. B & B Publishing, Inc.

Appearance required. **Complaint** not at issue - need responsive pleading, default or dismissal as to Defendant Bradley Wayne Burris.

19. S-CV-0027541 Leslie, Thomas vs. Corporate Coach of America, Inc., et al

Class: 1

Disposition date: 07/29/11

Trial date & length: 07/11/11; 10 day jury

Civil Trial Conference date: 07/01/11

(heard at 8:30am in D-42)

Mandatory settlement conference date: 06/24/11

(heard at 8:30am; report to Jury Services)

Arbitration completion date:

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20. S-CV-0027546 Guzman Electric, Inc. vs. Alizadeh, Abolghassem

Appearance required. **Complaint** not at issue - need responsive pleading, default or dismissal as to Defendant Abolghassem Alizadeh.

21. S-CV-0027547 CRC Roofing, Inc. vs. Cimcon Industries, Inc., et al

Dropped. Case was dismissed.

22. S-CV-0027548 Lyon Financial Services, Inc. vs. Richardson, Toby

Class: 1

Disposition date: 08/02/11

Trial date & length: 07/11/11; 1 day non-jury

Civil Trial Conference date: 07/01/11

(heard at 8:30am in D-42)

Mandatory settlement conference date: 06/24/11

(heard at 8:30am; report to Jury Services)

Arbitration completion date:

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23. S-CV-0027550 American Engineering & Asphalt vs. Alizadeh, Abolghassem

Appearance required. **Complaint** not at issue - need responsive pleading, default or dismissal as to Defendant Abolghassem Alizadeh.

24. S-CV-0027552 RBS Citizens Bank, N.A. vs. Kuzmenko, Vladimir, et al

Dropped. Default entered on Dec 6, 2010. Default prove-up hearing is set for Jul 11, 2011 at 11am in Dept. 40. Judgment was reviewed and denied.

25. S-CV-0027553 American Express Centurion Bank vs. Ballowe, Andre

Appearance required. **Complaint** not at issue - need responsive pleading, default or dismissal as to Defendant Andre Ballowe.

26. S-CV-0027591 Phipps, Jennifer vs. Tweed, Ed, et al

Appearance required. **Complaint** not at issue - need responsive pleading, default or dismissal as to Defendant DHL Express (USA), Inc.; Hireground Personnel Services, Inc. and Veritas Personnel Services, Inc.

27. S-CV-0027595 Durand, Jesse vs. Herzog, Monica, et al

Appearance required. **Monica Herzog et al Cross-Complaint** not at issue - need responsive pleading, default or dismissal as to Cross-Defendant Jesse Durand.

28. S-CV-0027599 Citibank South Dakota, N.A. vs. Osolin, Alfred

Appearance required. **Complaint** not at issue - need responsive pleading, default or dismissal as to Defendant Alfred Osolin.

29. S-CV-0027600 Citibank South Dakota N.A. vs. Chapman, Paul D.

Dropped. Judgment was entered.

30. S-CV-0027644 Salcido, Donna, et al vs. Klenzman, Debbie A.

Class: 1

Disposition date: 07/29/11

Trial date & length: 07/11/11; 5 day jury

Civil Trial Conference date: 07/01/11

(heard at 8:30am in D-42)

Mandatory settlement conference date: 06/24/11

(heard at 8:30am; report to Jury Services)

Arbitration completion date:

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31. S-CV-0027651 Slone, Charles J. vs. City of Roseville, et al

Appearance required. **Complaint** not at issue - need responsive pleading, default or dismissal as to all Defendants.

32. S-CV-0027654 Mahlke, Brianna vs. Satyanarayann, Pattabhiraman, et al

Class: 2

Disposition date: 01/29/12

Trial date & length: 10/17/11; 5 day jury

Civil Trial Conference date: 10/07/11

(heard at 8:30am in D-42)

Mandatory settlement conference date: 09/30/11

(heard at 8:30am; report to Jury Services)

Arbitration completion date:

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33. S-CV-0027657 OBF vs. X2 Motorsports Group, Inc., et al

Appearance required. Need status of attorney for X2 Motorsports Group, Inc.

34. S-CV-0027662 A.E., et al vs. International Church - Foursquare Gospel, et al

Appearance required. **Complaint** not at issue - need responsive pleading, default or dismissal as to Defendant Jeffery Allen Waisner.

35. S-CV-0027668 Winegar, Christine, et al vs. Mattei, Katrina Ann

Dropped. Case was dismissed.

36. S-CV-0027669 Wroten, Thomas R. vs. Wroten, Walter T.

Dropped. Case was dismissed.

37. S-CV-0027674 Barrett Business Services, Inc. vs. Giambattista, Francis A.

Appearance required. **Complaint** not at issue - need responsive pleading, default or dismissal as to Defendant Francis A. Gaimbattista.

38. S-CV-0027684 Shiroma, Owen, et al vs. Kaiser Foundation Hospitals, et al

Appearance required. **Complaint** not at issue - need responsive pleading, default or dismissal as to all Defendants.

39. S-CV-0027689 Espino, Ismael Diaz vs. Bainsorensen, Misty Violet

Appearance required. **Complaint** not at issue - need responsive pleading, default or dismissal as to Defendant Misty Violet Bainsorensen.

40. S-CV-0027692 Chase Bank USA, N.A. vs. Ward, Thomas J.

Dropped. Case was dismissed.

41. S-CV-0027693 DCFS Trust vs. Panasiti, Sandra

Dropped. Case was dismissed.

42. S-CV-0027694 Frazier, Rodney vs. Kirk, George S.

Dropped. Case was dismissed.

43. S-CV-0027699 Pozos, Beth vs. Spherion Staffing, LLC, et al

Appearance required. **Complaint** not at issue - need responsive pleading, default or dismissal as to both Defendants.

44. S-CV-0027701 Laguna Glass, Inc., et al vs. Far East National Bank, et al

Appearance required. **Complaint** not at issue - need responsive pleading, default or dismissal as to Defendant T.D. Service Company; and Engel Insulation Inc. Need status of bankruptcy for 400 Sunrise Partners, LLC.

45. S-CV-0027703 FIA Card Services, N.A. vs. Taylor, Nancy B.

Dropped. Judgment was entered.

46. S-CV-0028065 Alder, Erin vs. Alder, Charles K.

Appearance required. Need status of case.

47. S-CV-0028152 Brown, Tami vs. Parra, Manuel Alex

Class: 1
Disposition date: 11/22/11
Trial date & length: 11/14/11; 5 day jury
Civil Trial Conference date: 11/04/11
 (heard at 8:30am in D-42)
Mandatory settlement conference date: 10/28/11
 (heard at 8:30am; report to Jury Services)
Arbitration completion date:

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48. S-CV-0028154 Bank of America vs. Staff USA, Inc.

No appearance required. CMC is continued and an OSC is set for Jun 28, 2011 at 10am in Dept. 40. **Complaint** is not at issue - need responsive pleading, default or dismissal as to Defendant Staff USA, Inc.

49. S-CV-0028155 Smith, Coda Benjamin vs. Robles, Dennis, et al

No appearance required. CMC is continued and an OSC is set for Jun 28, 2011 at 10am in Dept. 40. **Complaint** is not at issue - need responsive pleading, default or dismissal as to Defendant Stacie Pardini.

50. S-CV-0028156 Richardson, Russell vs. Trimble, Wayne

No appearance required. CMC is continued and an OSC is set for Jun 28, 2011 at 10am in Dept. 40. **Complaint** is not at issue - need responsive pleading, default or dismissal as to Defendant Wayne Trimble.

51. S-CV-0028158 Shaw, Brooke vs. Tucker, Russ

No appearance required. CMC is continued and an OSC is set for Jun 28, 2011 at 10am in Dept. 40. **Complaint** is not at issue - need responsive pleading, default or dismissal as to Defendant Russ Tucker.

52. S-CV-0028159 Khoie, Jaleh, et al vs. Coltrin, Michael Glen

Dropped. Case was set aside for insufficient payment.

53. S-CV-0028299 Chase Bank USA, N.A. vs. Latz, Bob Jr.

No appearance required. CMC is continued and an OSC is set for Jun 28, 2011 at 10am in Dept. 40.
Complaint is not at issue - need responsive pleading, default or dismissal as to Defendant Bob Latz Jr.

54. S-CV-0028300 Herold, Eldridge vs. Salix Pharmaceuticals, Inc., et al

Class: 1

Disposition date: 11/22/11

Trial date & length: 10/31/11; 20 day jury

Civil Trial Conference date: 10/21/11

(heard at 8:30am in D-42)

Mandatory settlement conference date: 10/14/11

(heard at 8:30am; report to Jury Services)

Arbitration completion date:

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55. S-CV-0028301 Placer County Cemetery District #1 vs. Warren Consulting Eng

No appearance required. CMC is continued and an OSC is set for Jun 28, 2011 at 10am in Dept. 40.
Complaint is not at issue - need responsive pleading, default or dismissal as to Defendant Warren Consulting Engineers, Inc.

56. S-CV-0028302 Bailey, Laura Sheehan vs. Cal-Western Reconveyance Corp.

Class: 1

Disposition date: 11/22/11

Trial date & length: 10/31/11; 2 day non-jury

Civil Trial Conference date: 10/21/11

(heard at 8:30am in D-42)

Mandatory settlement conference date: 10/14/11

(heard at 8:30am; report to Jury Services)

Arbitration completion date:

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57. S-CV-0028305 American Express Bank, FSB vs. Mehalakis, John

No appearance required. CMC is continued and an OSC is set for Jun 28, 2011 at 10am in Dept. 40. **Complaint** is not at issue - need responsive pleading, default or dismissal as to Defendant John Mehalakis.

58. S-CV-0028311 Tucker, Valentina vs. Wal-Mart Stores, Inc.

Dropped. Case was dismissed.

59. S-CV-0028312 Hawes, Michael vs. Paramount Equity Mortgage, Inc., et al

Class: 1

Disposition date: 11/22/11

Trial date & length: 10/31/11; 3 day jury

Civil Trial Conference date: 10/21/11

(heard at 8:30am in D-42)

Mandatory settlement conference date: 10/14/11

(heard at 8:30am; report to Jury Services)

Arbitration completion date:

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60. S-CV-0028313 Rodriguez, Eileen, et al vs. Doty, David

Class: 1

Disposition date: 11/23/11

Trial date & length: 10/31/11; 9 day jury

Civil Trial Conference date: 10/21/11

(heard at 8:30am in D-42)

Mandatory settlement conference date: 10/14/11

(heard at 8:30am; report to Jury Services)

Arbitration completion date:

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61. S-CV-0028314 Stafford, Michael vs. Colfax Elementary School District

Class: 1

Disposition date: 11/23/11

Trial date & length: 10/31/11; 10 day jury

Civil Trial Conference date: 10/21/11

(heard at 8:30am in D-42)

Mandatory settlement conference date: 10/14/11

(heard at 8:30am; report to Jury Services)

Arbitration completion date:

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62. S-CV-0028315 FIA Card Services, N.A. vs. Fairchild, Shelley L.

Class: 1

Disposition date: 11/24/11

Trial date & length: 11/14/11; 1 day non-jury

Civil Trial Conference date: 11/04/11

(heard at 8:30am in D-42)

Mandatory settlement conference date: 10/28/11

(heard at 8:30am; report to Jury Services)

Arbitration completion date:

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63. S-CV-0028316 Wells Fargo Bank, N.A. vs. Placer Development & Const., et al

Dropped. Judgment was entered.

64. S-CV-0028317 Wells Fargo Bank, N.A. vs. Auto Depot Inc., et al

Dropped. The court confirms the OSC re: Bankruptcy set for April 5, 2011 at 11:30 am.

65. S-CV-0028319 Blue Northern Builders, Inc. vs. Godinez-Vivia, Juan A., et al

No appearance required. CMC is continued and an OSC is set for Jun 28, 2011 at 10am in Dept. 40.
Complaint is not at issue - need responsive pleading, default or dismissal as to Defendant Juan A. Godinez-Vivia.

66. S-CV-0028320 Brosious, Troy D. vs. Wells Fargo Bank, NA, et al

Class: 1
Disposition date: 11/24/11
Trial date & length: 11/14/11; 3 day non-jury
Civil Trial Conference date: 11/04/11
 (heard at 8:30am in D-42)
Mandatory settlement conference date: 10/28/11
 (heard at 8:30am; report to Jury Services)
Arbitration completion date:

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67. S-CV-0028321 Umpqua Bank vs. Farrington, Ernest C. Jr.

No appearance required. CMC is continued and an OSC is set for Jun 28, 2011 at 10am in Dept. 40.
Complaint is not at issue - need responsive pleading, default or dismissal as to Defendant Ernest C. Farrington, Jr.

68. S-CV-0028329 Speth-Tieman, Elizabeth vs. Titan Construction, et al

No appearance required. CMC is continued and an OSC is set for Jun 28, 2011 at 10am in Dept. 40.
Complaint is not at issue - need responsive pleading, default or dismissal as to all Defendants.

03/22/11 MCV CMC
at 11am in Dept 40

1. M-CV-0034688 Nord, Torben L. et al vs. Hydro Partners LP et al

Appearance required. **Complaint** not at issue – no proof of publication filed for Defendants Esther M. Yonash; Frank Yonash. Need proof of publication or service, responsive pleading, default or dismissal as to Defendants Richard Birmingham; Esther M. Yonash; Frank Yonash.

2. M-CV-0044599 Citifinancial Auto vs. Nickerson, Eric, et al

Appearance required. **Complaint** not at issue – no proper proof of service filed for Diana J. Nickerson. Need responsive pleading, default or dismissal as to Diana J. Nickerson and Eric Nickerson.

3. M-CV-0045375 Beals, Jennifer A. vs Deutsche Bank National Trust Co.

Class: 1

Disposition date: November 23, 2011

Trial date & length: 08/08/2011; 2 hours. (In Dept 44 at 10:00 am.)

NO APPEARANCE REQUIRED UNLESS REQUESTED BY PARTY BY 3PM ON THE THURSDAY PRIOR TO HEARING DATE. REQUESTS FOR APPEARANCE MUST BE FAXED TO THE CIVIL DEPARTMENT, ATTN: TERRY AT (916) 408-6275, AND TO ALL OPPOSING ATTORNEYS AND PARTIES WITHOUT ATTORNEYS BY 3:00 PM THE THURSDAY PRIOR TO THE CASE MANAGEMENT DATE. SEE LOCAL RULE 20.1.7, EFFECTIVE 7/1/09

4. M-CV-0046958 Huber Property Management, Inc. vs. Sankey, Miriam Y., et al

Dropped. Dismissal of entire action w/o prejudice filed/entered 02/18/11

5. M-CV-0047074 Consumer Portfolio Services, Inc. vs. Gomez, Michael L

Appearance required. Complaint not at issue - need responsive pleading, default or dismissal as to Defendant Michael Gomez.

6. M-CV-0047158 Consumer Portfolio Services, Inc. vs. Brown, William T., et al

No appearance required. CMC is continued and an OSC is set for June 28, 2011 at 11am in Dept. 40. **Complaint** is not at issue - need responsive pleading, default or dismissal as to Defendants William T. Brown; Angel R. Brown.

7. M-CV-0047164 Progressive West Insurance Co. vs. Bishop, Jacob

Dropped. Dismissal of entire action w/o prejudice filed/entered 12/21/10.

8. M-CV-0047236 Northern California Collection Service vs. Wood, Lawrence E.

Class: 1

Disposition date: 08/06/2011

Trial date & length: 07/18/2011; (one day non-jury trial)

Civil Trial Conference date: 07/08/2011

(heard at 8:30am in D-42)

Mandatory settlement conference date: 07/01/2011

(heard at 8:30am; report to Jury Services)

Arbitration completion date: N/A

NO APPEARANCE REQUIRED UNLESS REQUESTED BY PARTY BY 3PM ON THE THURSDAY PRIOR TO HEARING DATE. REQUESTS FOR APPEARANCE MUST BE FAXED TO THE CIVIL DEPARTMENT, ATTN: TERRY AT (916) 408-6275, AND TO ALL OPPOSING ATTORNEYS AND PARTIES WITHOUT ATTORNEYS BY 3:00 PM THE THURSDAY PRIOR TO THE CASE MANAGEMENT DATE. SEE LOCAL RULE 20.1.7, EFFECTIVE 7/1/09

10. M-CV-0048519 State Farm Mutual Auto Insurance vs. Pascoruggeri, Robert

No appearance required. CMC is continued and an OSC is set for June 28, 2011 at 11am in Dept. 40. **Complaint** is not at issue - need responsive pleading, default or dismissal as to Defendant Robert P. Pascoruggeri.

11. M-CV-0048650 Creditors Specialty Service, Inc. vs. Ramirez, Richard

This case is dropped from the Case Management Calendar per CRC 3.712(d)

9. M-CV-0048651 People of the State of California vs. \$724.00 Cash

Drop. Not subject to Trial Court Delay Reduction Act.

12. M-CV-0048652 Robert Marr Construction, Inc. vs. Martinez, Steve, et al

No appearance required. CMC is continued and an OSC is set for June 28, 2011 at 11am in Dept. 40. **Complaint** is not at issue - need responsive pleading, default or dismissal as to Defendant Steve Martinez.

13. M-CV-0048708 American Express Centurion Bank vs. North, Eric R.

Class: 1

Disposition date: 11/24/2011

Trial date & length: 2 hours (In Dept 44 at 10:00 am.)

NO APPEARANCE REQUIRED UNLESS REQUESTED BY PARTY BY 3PM ON THE THURSDAY PRIOR TO HEARING DATE. REQUESTS FOR APPEARANCE MUST BE FAXED TO THE CIVIL DEPARTMENT, ATTN: TERRY AT (916) 408-6275, AND TO ALL OPPOSING ATTORNEYS AND PARTIES WITHOUT ATTORNEYS BY 3:00 PM THE THURSDAY PRIOR TO THE CASE MANAGEMENT DATE. SEE LOCAL RULE 20.1.7, EFFECTIVE 7/1/09

14. M-CV-0048763 Wells Fargo Dealer Services, Inc. vs. Soto, Audrey, et al

This case is dropped from the Case Management Calendar per CRC 3.712(d)

15. M-CV-0048894 Equity Link, Inc. vs. O'Connor, Kevin et al

Class: 1

Disposition date: 12/07/2011

Trial date & length: 11/21/2011; (one day non-jury trial)

Civil Trial Conference date: 11/04/2011

(heard at 8:30am in D-42)

Mandatory settlement conference date: 10/28/2011

(heard at 8:30am; report to Jury Services)

Arbitration completion date: N/A

NO APPEARANCE REQUIRED UNLESS REQUESTED BY PARTY BY 3PM ON THE THURSDAY PRIOR TO HEARING DATE. REQUESTS FOR APPEARANCE MUST BE FAXED TO THE CIVIL DEPARTMENT, ATTN: TERRY AT (916) 408-6275, AND TO ALL OPPOSING ATTORNEYS AND PARTIES WITHOUT ATTORNEYS BY 3:00 PM THE THURSDAY PRIOR TO THE CASE MANAGEMENT DATE. SEE LOCAL RULE 20.1.7, EFFECTIVE 7/1/09